



**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
CONSTRUCTION CODES COORDINATING BOARD**

**MINUTES OF SEPTEMBER 24, 2009**

**MEETING**

**941 North Capitol Street, NE  
9<sup>th</sup> Floor Conference Room  
Washington, D.C.**

**Members Present:**

Mr. Alex Berley – participated by phone  
Mr. David Hollinger  
Mr. Marc Fetterman  
Mr. Gerald Keys  
Mr. Ethan Landis  
Mr. Robert Hershey  
Mr. Herbert Taylor  
Mr. Robbie Sabbakhan  
Ms. Jill Stern  
Mr. Nick Majett, Chairperson (*ex officio*)  
Heather Vargas

**Members Absent:**

Mr. Greg Colevas  
Mr. Don Masoero

**Public Guests**

Shaun Pharr  
Nicola Whiteman  
Ray Grill  
Todd Andersen  
Eric Mayl

**Call to Order**

Mr. Majett called the meeting to order at 10:18 am.

**Roll Call**

MOTION: ROLL CALL DETERMINED THAT Board has a quorum to proceed.

**Approval of Agenda**

Board made amendments to the agenda to include a discussion about the bylaws and the process for forming committees. Two items were added under new business: discussion of documents passed out during first meeting of cccb and whether or not to reschedule the October 21st meeting to October 28th.

Motion to approve agenda (Hollinger, Landis). Motion passes.

**Approval of August 26,  
2009 Minutes**

MOTION: Accept and approve the final draft minutes from the August 26<sup>th</sup> Meeting. (Taylor)

**Discussion**

Motion: To amend the minutes to reflect change on page 2, adding “, in addition to the chairperson.” At the end of paragraph 3. (Fetterman, Sabbakhan) Motion passes.

Motion: To edit the spelling of Landis on page 3 under Appointment of Officers section and amend Item D) under New Business to read “Landis would like to chair the Energy or Green TAG Committee.” (Fetterman, Landis) Motion passes.

Motion: To approve minutes as amended. (Hollinger, Landis) Motion passes.

**Comments from  
members of the public**

S. PHARR OBSERVED THAT THE BYLAWS WERE ESTABLISHED BY THE COMMITTEE WHEN ADOPTED AND WANTED TO REITERATE WHAT HE BELIEVED WAS THE INTENT OF THE CREATION OF THE BOARD – OPENESS AND PARTICIPATION.

T. ANDERSEN WAS CONCERNED THAT ARTICLE 4 – SECTION 2 ITEM D. OF BYLAWS WAS CONFUSING.

**Review of proposed  
rulemaking**

MOTION: TO AMEND THE DRAFT RULEMAKING WITH THE FOLLOWING CHANGES:

600 PROPOSED TO READ “600 PROPOSE”

604 DEFINITIONS TO READ “699 DEFINITIONS”

602.2 TO READ “IF THE CHAIRPERSON IS UNABLE TO CONDUCT A MEETING, THE VICE CHAIRPERSON SHALL DO SO.” (HOLLINGER, LANDIS)

MOTION PASSES.

**Election of Board Officer**

MOTION: TO ELECT A. BERLEY TO SERVE AS VICE CHAIRPERSON. (TAYLOR, LANDIS)

DISCUSSION: A. BERLEY WOULD STILL LIKE TO SERVE

MOTION PASSES. ALEX BERLEY IS THE VICE CHAIRPERSON OF THE CCCB.

**Review and Discussion of  
Bylaws**

Fetterman presented some suggestions and changes to the bylaws to include:

Article 1 – Section 2: Mayor’s order at end of paragraph can be removed as it is repeated

Article 3 – Section 1: Suggested that the board “may” meet once a month and not shall.

Article 4 – Section 2, Item b.: the Board “may” establish...

Article 5 – Section 3: typo “them” should read “the”

Keys suggested that there be an amendment to Article 6-Section 2 to clarify that the bylaws are not null and void if the bylaws are inconsistent with laws, but just that section of the bylaws. There was lengthy discussion about this that included comments from members of the public. The Section shall read: “These Bylaws shall be consistent with any and all applicable federal and District laws and regulations, and Mayor’s Order 2009-22, and any inconsistencies are to be held null and void, and shall not invalidate any of the remaining provisions of these bylaws.”

Stern suggested that this was the time to discuss whether or not there needed to be an amendment to Article 6 – Section 1 to allow for less days to review proposed changes to the bylaws so that the Board would not have to wait two meetings to vote on changes. The Board will have the option to vote to replace the current 30 day review period with a 14, 20 or 28 day review period.

## **Appointment of TAG Chairpersons**

Board considered the types of committees necessary for the CCCB to function adequately.

M. Fetterman was concerned that there were no committees that would address “Building” issues, party walls, signage, or fuel gas.

Options considered were by the subcommittees listed in the Bylaws, by Chapters in the current DCMR 12 (as suggested by J. Stern), or ICC Codes rather than DCMR 12 (as suggested by R. Sabbakhan).

Berley recommended a separate “Structural” committee. Discussion ensued.

Motion: To table subcommittee discussion. (Keys) No 2<sup>nd</sup> motion.

Board considered having a special meeting to figure out all of the details of the TAG committees and assignments; along with the instruction and guidance that will be given to each TAG before they convene.

Motion: To establish standing committee called Fire and Life Safety Subcommittee with an understanding that more committees can be created at a later date. (Stern, Keys) Motion passes.

Motion: To establish Existing Building Subcommittee. (Fetterman, Keys) Motion passes.

Motion: To establish Policies, Issues, Administration, and Enforcement Subcommittee. (Fetterman)

Discussion: Do we include “Legislative” under this committee?

Motion: To amend previous motion to establish Policies, Issues, Administration, Enforcement and Legislative Subcommittee. (Fetterman, Hollinger) Motion passes.

Motion: To establish Electrical Subcommittee. (Fetterman, Hershey) Motion passes.

Motion: To establish Residential Subcommittee. (Fetterman, Keys) Motion passes.

Motion: To establish Property Maintenance Subcommittee. (Fetterman, Keys) Motion passes.

Motion: To establish Plumbing, Mechanical, Boiler and Fuel Gas Subcommittee. (Fetterman)

Discussion: Hershey opposes the name due to length and thinks it should just be called the Mechanical Subcommittee. Keys asked for clarification. Discussion ensued.

Motion amended: To establish Mechanical Committee which includes mechanical, plumbing, boiler, and fuel gas. (Fetterman, Hershey) Motion passes.

Discussion: No change to next meeting date.

Motion: To adjourn. (Hershey, Fetterman) Motion passes (Keys abstains; Hollinger votes no)

Chairperson Majett elects to go through all agenda items before adjourning.

Motion: To recommend adoption of 2009 ICC Model Codes with public commentary at next CCCB meeting. (Keys) No 2<sup>nd</sup> motion.

J. Stern suggested that the Chairs for the established TAGs be appointed at the current meeting. (Stern, Hollinger) Motion passes (Fetterman votes no; Hershey votes no)

Chairperson Majett appoints the following CCCB Members as TAG Chairpersons:

H. Taylor – Fire & Life Safety Subcommittee

G. Keys – Electrical Subcommittee

J. Stern - Policies, Issues, Administration, Enforcement and Legislative Subcommittee

**New Business**

Motion: To schedule special meeting to finalize subcommittees, TAG assignments and begin vetting TAG members. (Fetterman, Keys) Motion passes.

**Next Meeting**

The next meeting of the Board will be held on Wednesday, October 21, 2009 at 10:00 am.

**Adjournment**

Chair adjourns the meeting at 12:45 pm.